

SENATE BILL 68

By Burks

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 1, relative to the offense of
aggravated assault.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Subdivisions (a)(1)(A)(ii) and (a)(1)(B)(ii) of SECTION 2 shall be known and may be cited as "Boomer's Law".

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subdivision (a)(1) and substituting instead the following:

(a)

(1) A person commits aggravated assault who:

(A) Intentionally or knowingly commits an assault as defined in § 39-13-101, and the assault:

(i) Results in serious bodily injury to another;

(ii) Results in the death of another;

(iii) Involved the use or display of a deadly weapon; or

(iv) Was intended to cause bodily injury to another by strangulation or bodily injury by strangulation was attempted; or

(B) Recklessly commits an assault as defined in § 39-13-101(a)(1), and the assault:

(i) Results in serious bodily injury to another;

(ii) Results in the death of another; or

(iii) Involved the use or display of a deadly weapon.

SECTION 3. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subdivision (e)(1) and substituting instead the following:

(e)

(A) Aggravated assault under:

(i) Subsection (d) is a Class A misdemeanor;

(ii) Subdivision (a)(1)(A)(i),(iii), or (iv) is a Class C felony;

(iii) Subdivision (a)(1)(A)(ii) is a Class C felony punished from within Range II, unless the defendant qualifies for a higher range;

(iv) Subdivision (b) or (c) is a Class C felony;

(v) Subdivision (a)(1)(B)(i) or (iii) is a Class D felony;

(vi) Subdivision (a)(1)(B)(ii) is a Class D felony punished from within Range II, unless the defendant qualifies for a higher range.

(B) For aggravated assault under subdivision (a)(1)(A) or subdivision (a)(1)(B) or subsection (c), the maximum fine shall be fifteen thousand dollars (\$15,000) if the offense is committed against a law enforcement officer.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.